



Entered on Docket
September 16, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Sixth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Fox Hills 216, LLC Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Sixth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Fox Hills 216, LLC, Loan," ("Fox Hills Loan") [DE 8617] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Fox Hills Loan; and good
2 cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8617] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Fox Hills Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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18 *Attorneys for USACM Liquidating Trust*

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Fox Hills 216, LLC
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Foxhill 216, LLC Loan
10725-01921	1/10/2007	Dobyne Living Trust	Robert S & Leah K Dobyne Ttees 3416 Cantura Bluff Ave North Las Vegas, NV 89031-3577	474,358.44	50,000.00
10725-01716-2	1/10/2007	Donna M Cangelosi Family Trust	C/O Donna M Cangelosi Trustee 5860 Lausanne Dr Reno, NV 89511-5034	1,537,121.72	60,000.00
10726-00067	1/12/2007	Doucet, D. Joseph	Trustee Of Doucet Trust 6124 Green Brook Drive Reno, NV 89511-8528	502,335.71	Unknown
10725-02305	1/13/2007	Erven J Nelson & Frankie J Nelson Trust	C/O Erven J Nelson Trustee 2136 River Of Fortune Drive St George, UT 84790	900,000.00	50,000.00
10725-01884	1/8/2007	Fallon, Thomas	Usaid Thailand APO AP 96546	216,214.60	54,027.88
10725-00523	10/10/2006	Fernandes, Dionisio A & Fiola	4001 Oak Manor Ct Hayward, CA 94542-1445	244,646.92	58,071.84
10725-02277	1/12/2007	Gale Gladstone-Katz Revocable Trust	Jan Logan, Trustee 8405 Mill Station Road Sebastopol, CA 95472	1,354,118.10	80,000.00
10725-00220	9/25/2006	Glen & Carrie Donahue Living Trust Dtd 4/30/94	Glenn M & Carrie Donahue Ttee 39 Bridgeport RD Newport Beach, CA 92657-1015	1,908.08	462.24
10725-01972	1/10/2007	Goode, James Paul IRA	C/O First Savings Bank Custodian 92-1500 Makakilo Dr Kapolei, HI 96707	346,669.50	75,000.00
10725-00868	10/31/2006	Gregory J & Shauna M Walch Family Trst Dtd 11/2/04	C/O Gregory J Walch Trustee 344 Doe Run Cir Henderson, NV 89012-2704	500,000.00	200,000.00

EXHIBIT A

2415824.1